

RESPONSE TO OFFICE ACTION

5 This paper responds to the Office Action dated September 18, 2009.

The Examiner has imposed a restriction requirement, putting forth the view that there are two distinct inventions:

- 10
- Invention I, namely claims 1-21, and
 - Invention II, namely claims 22-52.

In response to the Examiner's restriction requirement, the applicant elects the invention of claims 22-52. This election is without traverse so long as all of claims 22-52 are examined; otherwise the
15 election is with traverse on the grounds that the Examiner has indicated that all of claims 22-52 will be examined in the event that Invention II is elected.

The Examiner rejects every one of claims 22-52 as supposedly anticipated by EP 0617441 to Kao (“Kao”). The claims will be discussed *seriatim*.

20

Claim 22 is:

A blend of dry particles fibrillized for use in the manufacture of a coated electrode, comprising:
a mixture of dry fibrillized dry carbon and dry binder particles.

25

The Examiner rejects this claim as supposedly anticipated by Kao, and expresses the view that this limitation of “dry fibrillized dry carbon” is supposedly found in Kao at page 2, lines 37-39. The undersigned has diligently studied the entirety of the cited page and lines, and indeed has likewise studied the remainder of the reference, and is unable to find that the dry carbon is fibrillized, let alone
30 “dry fibrillized”. (The cited language mentions “fibrillating” the “plastic” but as understood by the undersigned, the “carbon” is not “plastic”.) The Examiner is respectfully invited to indicate by page